

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

| | | |
|-----------------------------|---|-------------------|
| GENE R. ROMERO, et al., | : | |
| | : | |
| Plaintiffs, | : | CIVIL ACTION |
| | : | |
| v. | : | NO. 01-3894 |
| | : | |
| | : | CONSOLIDATED WITH |
| ALLSTATE INSURANCE COMPANY, | : | |
| et al., | : | NO. 01-6764 |
| Defendants. | : | NO. 01-7042 |

ORDER

AND NOW, this 7th day of *April*, 2014, upon consideration of **(1)** the Motion for Reconsideration of the Court’s Summary Judgment Order by Defendants Allstate Insurance Company, *et al.* (collectively “Allstate”) (Docket No. 459) and the Response by Plaintiffs Gene R. Romero, *et al.* (collectively “Plaintiffs”) (Docket No. 461); **(2)** Plaintiffs’ Motion for Clarification or, in the Alternative, Reconsideration (Docket No. 458) and Allstate’s Response (Docket No. 460); and **(3)** Allstate’s Motion for Leave to File *Instantly* Allstate’s Reply in Support of Its Motion for Reconsideration and/or Clarification (Docket No. 462), it is hereby **ORDERED** that:

1. Allstate’s Motion for Reconsideration (Docket No. 459) is **DENIED**.
2. Plaintiffs’ Motion for Reconsideration (Docket No. 458) is **GRANTED** and the Court clarifies that its February 27, 2014 Memorandum and Order denying the parties’ Cross-motions for Summary Judgment as to the Release does not operate to adjudicate any aspect of Plaintiffs’ underlying breach of contract claims on the merits or to bar Plaintiffs from raising each of their breach of contract legal theories at the merits-stage of this litigation.
3. Allstate’s Motion for Leave File a Reply Brief (Docket No. 462) is **DENIED**.

It is so **ORDERED**.

BY THE COURT:

s/ Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.